

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

BARRY W. THOMAS,)
)
Plaintiff,)
)
vs.)
)
ADELPHIA COMMUNICATIONS)
CORPORATION, a Delaware)
corporation; COX COMMUNICATIONS,)
INC., a Delaware corporation; TIME)
WARNER CABLE, INC., a Delaware)
corporation; and COMCAST)
CORPORATION, a Pennsylvania)
corporation,)
)
Defendants.)

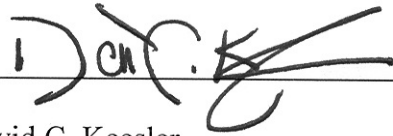
Case No. 3:05-CV-00497

**CONSENT ORDER GRANTING DEFENDANT COX COMMUNICATION, INC.'S
CONSENT MOTION TO VACATE**

THIS MATTER is before the Court on Defendant Cox Communications, Inc.'s Consent Motion To Vacate the Order Granting Defendant's Unopposed Motion for Extension of Time signed by Judge Carl Horn III on December 27, 2005. It appearing that this Court has not issued a summons for Cox Communications, Inc., that Defendant Cox Communications, Inc.'s counsel moved for an extension of time under the mistaken belief that a summons had issued against Defendant, and that Plaintiff's counsel consents to the relief herein sought by Defendant, the Court enters the following Order:

IT IS, THEREFORE, ORDERED that Defendant Cox Communications, Inc. is GRANTED its Consent Motion to Vacate the Order Granting Defendant's Unopposed Motion for an Extension of Time signed December 27, 2005 and said Order is hereby VACATED.

Signed: January 17, 2006

A handwritten signature in black ink, appearing to read "D.C. Keesler", is written over a horizontal line.

David C. Keesler
United States Magistrate Judge

